

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION**

**Call to Order:** By **CHAIRMAN GAY ANN MASOLO**, on February 3, 1999  
at 3:00 P.M., in Room 312 - 1 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Gay Ann Masolo, Chairman (R)  
Rep. Bob Lawson, Vice Chairman (R)  
Rep. Linda McCulloch, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Tom Facey (D)  
Rep. Daniel Fuchs (R)  
Rep. Kathleen Galvin-Halcro (D)  
Rep. Kim Gillan (D)  
Rep. John L. Holden (R)  
Rep. Sam Kitzenberg (R)  
Rep. Jeff Mangan (D)  
Rep. Joe McKenney (R)  
Rep. Mark Noennig (R)  
Rep. Bill Rehbein (R)  
Rep. Sam Rose (R)  
Rep. Allan Walters (R)  
Rep. Diana Wyatt (D)

**Members Excused:** Rep. Monica Lindeen (D)

**Members Absent:** None.

**Staff Present:** Connie Erickson, Legislative Branch  
Linda Scott, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing Dated: HB 419, 2/3/1999  
Executive Action: HB 236; HB 310

HEARING ON HB 419

Opening Statement by Sponsor: Rep. Linda McCulloch  
{Tape : 1; Side : A; Approx. Tape Counter : 28 - 63}

Proponents' Testimony:

Lance Melton, M.S.B.A.  
{Tape : 1; Side : A; Approx. Tape Counter : 71 - 89}

Bill Cooper, Deputy Director, O.P.I.  
{Tape : 1; Side : A; Approx. Tape Counter : 90 - 109}

Loran Frazier  
{Tape : 1; Side : A; Approx. Tape Counter : 110 - 111}

Opponents' Testimony:

Informational Testimony:

Questions from Committee Members and Responses:  
{Tape : 1; Side : A; Approx. Tape Counter : 113 - 148}

Closing by Sponsor:  
{Tape : 1; Side : A; Approx. Tape Counter : 150 - 158}

EXECUTIVE ACTION ON HB 236

Motion: REP. GILLAN moved that HB 236 BE ADOPTED.  
Motion/Vote: REP. NOENNIG moved HB 236 BE REMOVED FROM TABLING STATUS. Motion passed 12-3, with Reps. Facey, Walters, and Wyatt voting no, and Reps. Holden, Kitzenberg, and Rose absent.  
{Tape : 1; Side : A; Approx. Tape Counter : 164 - 174}

Informational Testimony by Sponsor: Rep. Joe Barnett  
{Tape : 1; Side : A; Approx. Tape Counter : 177 - 189}

Motion/Vote: REP. NOENNIG moved HB 236 BE REMOVED FROM TABLING STATUS.

Motion/Vote: REP. GILLAN moved that HB 236 BE ADOPTED. Motion carried 13-3, with Reps. Facey, Walters, and Wyatt voting no, and Reps. Holden, Kitzenberg, and Rose being absent.  
{Tape : 1; Side : A; Approx. Tape Counter : 191 - 197}

Discussion:  
{Tape : 1; Side : A; Approx. Tape Counter : 198 - 301}

Clarification of Amendments by Connie Erickson:

{Tape : 1; Side : A; Approx. Tape Counter : 303 - 374}

Discussion:

{Tape : 1; Side : A; Approx. Tape Counter : 375 - 451}

Motion/Vote: REP. FUCHS moved that HB 236 DO PASS. Motion carried 10-8, with Reps. Andersen, Facey, Galvin-Halcro, Holden, Mangan, Rehbein, Walters and Wyatt voting no.

{Tape : 1; Side : B; Approx. Tape Counter : 452 - 490}

EXECUTIVE ACTION ON HB 310

Motion: REP. ANDERSEN moved that HB 310 DO PASS.

Motion: REP. ANDERSEN moved that HB 310 DO PASS AS AMENDED.

{Tape : 1; Side : B; Approx. Tape Counter : 491 - 493}

Discussion:

{Tape : 1; Side : B; Approx. Tape Counter : 494 - 699}

Motion/Vote: REP. MANGAN moved that HB 310 BE AMENDED. Motion carried 13-5 with Reps. McCulloch, Facey, Galvin-Halcro, Lindeen and Mangan voting no.

{Tape : 1; Side : B; Approx. Tape Counter : 700 - 730}

Motion: REP. LAWSON moved that HB 310 DO PASS AS AMENDED.

{Tape : 1; Side : B; Approx. Tape Counter : 731 - 732}

Discussion:

{Tape : 1; Side : B; Approx. Tape Counter : 733 - 884}

{Tape : 2; Side : A; Approx. Tape Counter : 1 - 14}

Motion/Vote: REP. LAWSON moved that HB 310 DO PASS AS AMENDED. Motion carried 12-6 with Reps. McCulloch, Facey, Galvin-Halcro, Lindeen, Mangan, and Wyatt voting no.

{Tape : 2; Side : A; Approx. Tape Counter : 14 - 31}

EXECUTIVE ACTION ON HB 401

Motion: REP. LAWSON moved TO BRING HB 401 OFF THE TABLE.

{Tape : 2; Side : A; Approx. Tape Counter : 32 - 34}

Motion/Vote: REP. MANGAN moved TO CHANGE HB 401 TO RESOLUTION. Motion carried 17-1, with Rep. Rehbein voting no.

{Tape : 2; Side : A; Approx. Tape Counter : 35 - 67}

**ADJOURNMENT**

Adjournment: 4:15 P.M.

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REP. GAY ANN MASOLO, Chairman

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LINDA SCOTT, Secretary

GM/LS

**EXHIBIT (edh27aad)**